

The Office of the Independent Police Auditor (IPA) and the San José Police Department's Internal Affairs Unit (IA) are separate offices available for the public to file complaints against members of the San José Police Department (SJPD). The IPA is an oversight office that monitors and tracks an investigation while it is being investigated by the IA Unit. Even though the IPA is not the primary investigatory agency, it does have the authority to attend IA interviews of subject and witness officers. In addition, the IPA has the authority to request an investigation and/or conduct a follow-up investigation once it has been closed as part of the audit process.

This chapter will discuss the different types of cases that were received from January 1 through December 31, 2000.

It will also discuss the allegations in the cases filed, the findings, and the discipline imposed. The IPA reports its year-end statistics in various ways in an attempt to make it more interesting for the reader. The analysis is only statistical and should not be used to

deduce specific and/or conclusive results from the data.

HOW THE COMPLAINT PROCESS WORKS

All contacts from the public are documented as cases. Cases include complaints which are further divided into several classifications such as: Formal, Informal, Procedural and Policy. A complaint is an act of expressed dissatisfaction which relates to Department operations, personnel conduct or unlawful acts.¹ Typically, IA conducts administrative investigations that are generally adjudicated through the department. However, in some cases the IA unit may be required to conduct a parallel investigation with a criminal investigation.

Typically, the Internal Affairs Unit investigates most allegations involving officer misconduct. Investigators at Internal Affairs are fact finders only. They do not sustain a complaint nor do they recommend discipline. In cases where the IA Investigator concludes

¹ San José Duty Manual, Section C1703, Complaint defined: A complaint is an act of expressed dissatisfaction which relates to Department operations, personnel conduct or unlawful acts. Inquiry defined: Citizen contact with a Department member regarding an issue of concern that is immediately addressed and resolved to the satisfaction of the citizen. A concern that is not satisfactorily resolved can become a complaint.

that the investigation supports sustainable allegations, the investigation is sent to the subject officer's chain of command. The commanding officer reviews the investigation and/or conducts further investigation to determine if the complaint should be sustained. If the commanding officer sustains the complaint, then the case is sent to the Disciplinary Review Panel to determine the type of discipline to impose.

Once an investigation is completed, a copy of the investigation file is sent to the IPA for auditing. By prior practice, IA would immediately send the complainant and the subject officer a closing letter advising them of the finding in their case. Because this practice did not allow time for the IPA to agree or disagree with the results of the investigation before a notification was sent, the IPA and IA mutually agreed to a change in the process. The

new process gives the IPA two weeks to review the completed investigation before a notification is made or a closing letter sent. During this two-week period, if the IPA determines that there may be an area of concern with the investigation, the IA Commander is notified and the two-week time line is stayed. Notifications and/or closing letters are held until the area of concern is satisfied or the case is reopened for further investigation. If the IPA makes no request during the two-week period, IA proceeds to send the closing letters/notices to the complainant and subject officer.

CASE CLASSIFICATION

There are seven case classifications:

Formal, Informal, Policy, Procedural, No Boland, Inquiry, and Citizen

Contact. A **Formal** complaint may be citizen-initiated (CI) or department-initiated (DI), which is a complaint initiated by the Chief of Police. An

Informal² complaint involves allegations of minor transgressions. An

Informal complaint is handled by bringing the matter to the attention of the subject officer's supervisor. A

Policy³ complaint relates to an established policy properly employed by the officer, which the complainant believes to be inappropriate or invalid. A

Procedural⁴ is a complaint that after the initial investigation, it is determined that the subject member acted reasonably and within Department policy and procedure given the specific circumstances and that despite the allegation of misconduct, there is no factual basis

2 San José Duty Manual, Section C1716, Informal Complaint defined: It is determined that the allegation involves minor transgressions that may be handled by bringing the matter to the attention of the subject member's supervisor and chain of command. The utilization of this process does not imply that the subject member has in fact committed the transgression as described by the complaint.

3 San José Duty Manual, Section C1721, Policy Complaint defined: A complaint which pertains to an established policy, properly employed by a Department member, which the complainant understands but believes is inappropriate or not valid.

4 San José Duty Manual, Section C1711, Procedure Complaint defined: (A) After the initial investigation, it is determined that the subject member acted reasonably and within Department policy and procedure given the specific circumstances and the facts of the incident and that, despite the allegation of misconduct, there is no factual basis to support the allegation. (B) The Allegation is a dispute-of-fact case wherein there is no independent information, evidence, or witnesses available to support the complaint and there exists another judicial entity which is available to process the concerns of the complaint.

to support the allegation. A **No Boland**⁵ case is a case that is closed within 30 days from the date the case was received due to the complainant failing to sign the Boland Admonishment. State law requires that the complainant sign a Boland Admonishment form in order to have the complaint fully investigated. An **Inquiry**⁶ refers to a case that is immediately resolved to the satisfaction of the citizen, without requiring an extensive investigation. A **Citizen Contact** is a case that does not involve an expressed dissatisfaction with police services provided by a San José police officer.

The reasons for classifying the cases into different types are: (1) to streamline the investigation process so that cases that do not require a full investigation are resolved sooner while the cases requiring more time are given appropriate time to investigate; (2) to track Formal, Informal, and Procedural complaints by officers' names as part of an "Early Warning" system that identifies those officers qualifying for Intervention Counseling; (3) to comply

Illustration A: Cases by Different Classifications

Type of Cases	IPA Intake	IA Intake	Total Cases
Formal: Citizen-Initiated Complaints	73	98	171
Formal: Department-Initiated Complaints	0	49	49
Informal Complaints	17	40	57
Procedural Complaints	41	39	80
Policy Complaints	7	10	17
Subtotal	138	236	374
No Boland (Withdrawn Cases)	23	23	46
Inquiry (Cases immediately resolved)	62	136	198
Citizen Contacts (Informational)	28	48	76
Total Cases in 2000	251	443	694

Complaints are those cases where the complainant signs all the State required forms.

with motions for discovery in criminal and civil proceedings; and (4) to identify patterns or trends so that recommendations can be made to change an existing policy or procedure. Illustration A shows a breakdown of the total number (694) of cases received from January 1 through December 31, 2000 by the type of complaint and the office in which the complaint was filed.

Illustration B reflects the cases received from January 1 through

December 31 for the year 1996, 1997, 1998, 1999, and 2000 at the IPA and IA. In 2000, the IPA received 251 cases while IA received 443 cases. Although the cases received by the IPA remained consistent with prior years, the IA unit received 147 (21%) fewer cases. The total cases received for this year is 694.

FORMAL COMPLAINTS

The SJPd uses the Formal complaint classification to address serious

⁵ See Appendix D (Boland Admonishment). CA. Penal Code Section 148.6.

⁶ San José Duty Manual, Section C1703. Inquiry defined: Citizen contact with a Department member regarding an issue of concern that is immediately addressed and resolved to the satisfaction of the citizen. A concern that is not satisfactorily resolved can become a complaint.

violations of a department policy, procedure, rules or regulations by its officers. From January 1 through December 31, 2000, there were 201 Formal cases audited by the IPA. Of these, 93 were a result of a call for service, 79 were self initiated by the subject officer, 20 were traffic related and nine were classified as other.

It is important to understand that the 201 Formal cases represent the number of investigations completed by IA and audited by the IPA in 2000. This total may differ slightly from the total number of complaints filed throughout 2000, because some cases may have been filed in 1999, completed in 2000, while others that were filed in 2000 may still be under investigation.

ANALYSIS OF UNNECESSARY FORCE COMPLAINTS

This past year, there were 220 Formal complaints received from January 1 through December 31, 2000. This is a decrease of nine Formal complaints over last year's figures. Of the 220

Illustration B: Five Year Analysis of the IPA Case Intake

Intake Received	Time Period				
	1996	1997	1998	1999	2000
IPA Cases	154	127	249	229	251
IA Cases	453	319	500	590	443
Total Cases Received*	607	446	749	819	694
Percentage of IPA Received**	29%	34%	37%	29%	36%

*The total cases received for the year 1998, 1999, and 2000 include Inquiry cases.

**The percentage of the intake conducted by the IPA is calculated by dividing the IPA cases by the total cases received in 2000. Formal DI cases are excluded; these cases are initiated by the Chief of Police.

Formal complaints, 84 were classified as Unnecessary Force (UF) complaints. This is a decrease of 30 complaints or 26%. Because each complaint may contain more than one allegation, this year there were 129 Unnecessary Force allegations. This is a reduction of 54 allegations or a 30% decrease in the number of allegations made over last year's figures.

Unnecessary Force complaints are divided into two categories: Class I and II. A Class I case involves serious bodily injury.⁷ All others are Class II cases which include complaints in which the complainant did not require

immediate medical care. Of the 84 UF complaints filed, 16 were Class I, and the remaining 68 were Class II complaints.

Appendix E, Appendix F, and Appendix G present a five-year view of the type of force used, the body area afflicted by the force used, and the degree of injury from the force used. Note that statistical information such as the type of force alleged, body area afflicted, type of force used, and the degree of injury resulting from the force is tabulated based on what is alleged by the complainant.⁸

⁷ CA. PC 243.4 F (4). "Serious bodily injury" means a serious impairment of physical condition, including, but not limited to, the following: loss of consciousness; concussion; bone fracture; protracted loss or impairment of function of any bodily member or organ; wound requiring extensive suturing; serious disfigurement..

In Appendix E, there was a total of 144 different types of force alleged in 2000. In each complaint, the complainant may have alleged more than one type of force that was used by the subject officer(s). For example, a complainant may have alleged that the subject officer struck him/her with a baton, and while taking them into custody, placed the handcuffs on tightly, or unnecessarily twisted an arm in the handcuffing process. This example would account for two types of force being used: one for the baton strike and one for twisting the arm or placing the handcuffs on too tightly.

In Appendix E, the four types of force most commonly alleged are; baton, feet, car (officer), and hands. In 2000, the officer's alleged use of a baton resulted in injury to the complainant in 10 cases or 7% of the time. This is a slight decrease from prior years. The alleged use of force resulting from the officer using his/her feet, such as leg sweeps or kicking the complainant occurred in 15 cases or 10% of the time. This is also a decrease from the previous year.

In Appendix F, the area afflicted is divided into five categories: the head, torso, limbs, multiple body parts (MBP), and unknown.⁹ Each complaint may allege more than one area of body afflicted by the alleged use of force. For example, a citizen may allege that the officer punched him/her in the stomach and kicked him/her in the knee. The body area injured would be the torso and the limbs. In 2000 the distribution of alleged injury was 22% to the head, 18% to the torso, 38% to the limbs, 12% of multiple body parts injured, and 10% were unknown. In Appendix F, the injuries to the head decreased in occurrence, but increased in percentage relevant to the number of complaints filed.

In Appendix G, the Degree of Injury resulting from the alleged use of force ranged from minor to major and included categories for "None Visible" and "Unknown" degrees of injury.¹⁰ For example, a citizen alleged that the officer pushed him/her against the wall while handcuffed, causing abrasions to the facial area. This is counted as a

minor injury. In 2000, there were 84 UF cases with the following distribution of injuries: 15% major injuries, 6% moderate, 55% minor, 9% with no visible injury, and 16% with unknown degree of injuries. As shown in Appendix G, throughout the years, minor injuries remain the highest degree of injuries alleged by the complainant. However, the moderate degree of injuries dropped from 18% in 1996 to 6% in 2000. The 6% figure is slightly higher than the 1999 figure of 4%. Overall, 80% of all reported use of force allegations involved minor, no visible, or unknown injuries.

In the year 2000, 18 out of 187 Formal CI closed cases were sustained, which resulted in a 10% sustained rate, see Illustration C. In contrast, 31 out of 41 Formal DI closed cases were sustained, a 76% sustained rate. It should be noted that Department Initiated complaints include external matters where a citizen brought the incident to light as well as internal matters involving only police officers, such as tardiness, abuse of sick leave, etc. The

⁸ See Appedix H (Use of Force).

⁹ See Appedix F (Body Area Afflicted by Force).

¹⁰ See Appedix G (Degree of Injury).

Illustration C: Year 2000 Closed and Sustained Cases.

Formal Complaints	Cases Closed	Cases Sustained	Sustained Rate
Citizen Initiated (CI)	187	18	10%
Department Initiated - Citizen Nexus (DI-CN)	9	7	78%
Department Initiated - Non-Citizen Nexus (DI-NCN)	41	31	76%
Total	237	56	24%

combined sustained rate for Formal cases overall is 21%.

***AUDIT CRITERIA OF
FORMAL COMPLAINTS***

In an effort to maximize the availability of data captured in the complaint database, the IPA developed a checklist for gathering data and a process for evaluating the quality of the investigations. This process allows for consistency between auditors and provides a database that can be manipulated and randomly searched for critical trends and patterns. By developing a process that can audit and capture varied trends and patterns, the database is designed to highlight the critical elements, actions, and aspects of an investigation. Consistency in capturing data is important. A significant aspect of the

database is that it was designed to capture the nature of the complaint by using different auditing criteria for the different complaint classifications: Formal, Procedural, No Boland, Informal, Policy, and Inquiry. Although every complaint is important, this section only provides a synopsis of the Formal complaint audits.

Chart A - Requests for Reviews

Yes	89	44%
No	112	56%

***DID THE COMPLAINANT
REQUEST REVIEW BY THE
IPA?***

Of the total number of complaints audited, 89 complainants or 44%

requested the IPA to review their cases, see Chart A. Although most of the requests were made after IA had already closed the case, a small percentage of the requests for review were made while the investigation was still active.

***DID THE IPA REQUEST
FURTHER ACTION FROM
IA?***

The IPA requested further action from IA in 13 or 6% of the Formal cases it reviewed. Requests varied from reopening an investigation to providing the IPA with additional information or documentation. Although the number of complaints varies from year to year, this year marked another decrease in the number of further action requests by the IPA. As a comparison, during the 1998 calendar year, the IPA made 27 requests, or 11% of the Formal cases audited.

Chart B - Requests for Further Action

Yes	13	6%
No	188	94%

DID THE AUDITOR ATTEND OFFICER INTERVIEWS CONDUCTED BY IA AFTER BEING NOTIFIED?

Formal complaints are the only type of complaint that has a process that is mandated by law (Government Code 3300) for questioning and interviewing SJPd officers, pursuant to the investigation of a complaint. At this time last year the Police Auditor reported that the issue of delegating attendance at officer interviews to a qualified staff member was being challenged by the Police Officer's Association and was scheduled to go through the arbitration process. On January 29, 2001, Justice Nat Agliano rendered his decision concluding, *"the matter of delegation is not one on which the parties must meet and confer. In the discretion of the Auditor, the Auditor's Executive Assistant may attend Internal Affairs questioning of officers."* Because this decision was not rendered until 2001, during 2000, the Auditor still had to consider factors such as seriousness of the allegations, status of the officer being interviewed (subject or witness officer), and time constraints as to the Auditor's availability before making a decision to attend an officer interview.

During 2000, the IPA requested to be notified of police officer interviews in 85 of the 201 Formal cases or 72% of the cases. Of those, the IPA was notified of 67 interviews, with the Police Auditor attending 29 interviews where notification was received. IA failed to provide notice to the Auditor or the notice was not on time for 18 cases, see Chart C. Notification is still an area that can be improved in the coming year.

Chart C - Officer Interviews

Notification Requested	85	72%
Notice Received	67	79%
Interviews Attended	29	34%
Interviews not Attended	35	41%
No Interviews *	22	26%

RECOMMENDATION

It appears that some of the notification problems are attributed to the turnover of investigators at IA. In an effort to negate this concern, strong emphasis must be placed on providing investigators with on-going training that addresses the importance of maintaining a case file that chronicles how notices of upcoming interviews were given to the

IPA. Proof of notice can be documented by saving a copy of the fax notice, saving an e-mail print out, or making a notation in the case file, with the date and time if a phone call was used to make the notification. A form to document and track an officer interview notification has been put into place, but it is sometimes not used.

As previously mentioned, the Independent Police Auditor is currently the only IPA representative that attends officer interviews. With the ruling by Justice Agliano, plans are underway to have the Assistant Auditor attend officer interviews when the need arises.

DID THE IPA AGREE WITH THE FINDING OF THE COMPLAINT?

This section reflects the number of times the IPA agreed or disagreed with the resolution of the complaint. The IPA disagreed with the finding of the investigation in 4 or 2% of the 201 Formal cases even after further action was requested from IA. In 1999, the IPA disagreed with 6 or 5% of the Formal cases.

Even though the IPA may disagree with a case resolution for a number of

reasons, in most cases where there is a disagreement, weight given to the credibility of the complainant and/or witnesses appears to have been the difference.

Another reason that disagreements have occurred is because findings that were changed by the Disciplinary Review Panel appeared to be contrary to the evidence in the investigation, and no explanation for the change in the finding was given.

DISAGREED CASES BY THE IPA

CASE #1 – Complainant alleged he was forced to walk to a patrol car even though he sustained a broken leg as a result of the use of force by an officer and was complaining of pain. The findings by the SJPD exonerated the officer. The IPA disagreed because the testimony of an independent witness corroborated the complainant's statement and should have been given greater weight in determining the final outcome.

CASE #2 – Complainant alleged that while officers had him face down on the ground, placing handcuffs on him,

someone standing close by kicked him on the head. The complaint said the footwear worn by the person that kicked him was distinctive, and his observation and description of the footwear was corroborated by one of the officer's assisting with the handcuffing procedure. The findings by the SJPD exonerated the officer because there was no eye witness to identify the officer as the person kicking the complainant. The IPA disagreed because the case could have been proven circumstantially.

CASE #3 – Complainant alleged she was unlawfully arrested for disturbing the peace, and when the officer attempted to take her into custody, the officer unnecessarily twisted her wrists causing severe pain. The findings by the SJPD exonerated the officer. The IPA disagreed because a witness officer felt the subject officer exacerbated the problem by being over bearing and causing the negative response by the complainant that led to her arrest.

CASE #4 – Complainant alleged that an off-duty officer working a pay job made unnecessary and provocative comments to her. The complainant felt the comments were rude and unprofes-

sional. The findings by the SJPD were Not Sustained against the officer. The IPA does not agree with this finding.

Chart D - Cases Agrees with Finding

Agreed	197	98%
Disagreed	4	2%

DISCIPLINARY REVIEW PANEL

An area of concern for the IPA is the process that is used by the Disciplinary Review Panel to determine the final outcome of the investigation of a citizen complaint. The Disciplinary Review Panel is comprised of Command Staff, the Internal Affairs Commander and/or investigator, and the subject officer's direct chain of command. The purpose of the Disciplinary Review Panel is to determine the finding and the type of discipline to recommend to the Chief of Police. By bringing all the members of the chain of command together in one session to decide the finding of a citizen complaint, it expedites the process. The role of the Internal Affairs Unit is to conduct the investigation of a citizen complaint in a thorough, objective, and fair manner. While the

IA Unit is not authorized to make a finding that the investigation supported the allegation, they are authorized to determine that no misconduct occurred thus closing the investigation without sending it to the subject officer's chain of command. The IPA has encountered difficulty in auditing and reconciling the Internal Affairs written investigation, the written investigation by the subject officer's supervisor, and the final recommendation by the Disciplinary Review Panel.

The IPA found that in the audit of three separate citizen complaint investigations conducted by the IA Unit, the evidence supported a sustain finding. The IPA further found that a separate investigation of these same three cases conducted by the subject officer's first line supervisor also indicated that the evidence supported a sustain finding. Nevertheless, the Disciplinary Review Panel did not recommend a sustain finding and there was no written record explaining their decision. The Disciplinary Review Panel leaves no paper trail to audit. This lack of information has been problematic because without detailed information from the Disciplinary

Review Panel explaining their decision, the final outcome is left to speculation, criticism, and a lack of confidence in the process.

A clear, logical, and fair process should be in place to determine or explain how the Disciplinary Review Panel reached a finding. The IA investigators and subject officer's supervisor are in the best position to make a determination on the merits of the investigation because they conducted the investigation. Deciding the finding and the type of discipline to impose, if any, are two very separate and distinct functions. A citizen complaint supported by the evidence should be sustained even if no discipline is imposed.

RECOMMENDATION

The Disciplinary Review Panel should document, at the conclusion of the hearing, how they reached their findings to enable the IPA to conduct an audit.

DISCIPLINE IMPOSED

Of the 228 Formal cases closed in this reporting period, January 1 through December 31, 2000, discipline was imposed in 68 cases, see Illustration D.

Discipline¹¹ is only imposed on Formal complaints, which are the most serious misconduct complaints. This type of complaint is initiated by a citizen (Citizen-Initiated - CI complaints) or by the Chief of Police (Department-Initiated - DI complaints.)

In Illustration D, the disciplines are listed by increased level of severity. When an officer is retired from the department, the open investigation is closed with a No Finding. The retired category is not a disciplinary action, but rather it is included for the purpose of tracking the number of officers who retire prior to the completion of a citizen complaint investigation.

An officer receives discipline based on the entire complaint and not based on each separate allegation. For example, an officer may have had three allegations sustained, but will receive only one discipline such as documented oral

¹¹ See Appedix K (Definition of Disciplines Imposed).

Illustration D - Discipline Imposed for Formal Cases

Discipline Imposed	CI	DI	Total	%
Training and/or Counseling	12	10	22	33%
Documented Oral Counseling (D.O.C.)	13	22	35	52%
Letter of Reprimand (L.O.R.)	2	3	5	8%
10-Hour Suspension	0	1	1	1%
20-Hour Suspension	0	1	1	1%
80-Hour Suspension	0	1	1	1%
Retired	1	2	3	4%
Total	28	40	68	100%
%	41%	59%	100%	

counseling, letter of reprimand, suspension, demotion, transfer, or termination. Also, an officer may receive training and/or counseling, even though the allegation in a complaint is not sustained.

In Illustration D, the three types of discipline imposed for Formal cases with the highest frequency are: Training and/or Informal Counseling (22), Documented Oral Counseling (35), and Letter of Reprimand (5).

In Illustration E, the data reflects the type of allegations where discipline was imposed.

Illustration F depicts five years of Formal disciplines for cases closed

from January 1 through December 31, 1996, 1997, 1998, 1999, and 2000.

Illustration F shows that the disciplines imposed most frequently are Training and/or Counseling, Documented Oral Counseling, Letter of Reprimand and Suspension.

INTERVENTION COUNSELING

The Intervention Counseling (IC) process is an early warning system for identifying and/or correcting possible errant behavior. The process is designed to identify officers that receive three or more Formal complaints or a combination of five or more complaints of any type within a 12-month period. The process for initiating a counseling session used to be dependent on the completion of an investigation, however, IA has started the practice of scheduling and holding counseling sessions when the criteria has been met, even if a case(s) is still open. Once an officer who meets the above criteria has been identified, he/she is required to attend an informal

Illustration E - Allegations of Discipline Imposed for Formal Cases

Type of Discipline Imposed	Allegations					
	IP	MDP	RC	UA	UC	UF
Training and/or Counseling	10	2	3	2	2	3
Documented Oral Counseling (D.O.C.)	19	10	2	0	4	0
Letter of Reprimand (L.O.R.)	1	1	0	0	1	2
10-Hour Suspension	1	0	0	0	0	0
20-Hour Suspension	0	0	0	0	1	0
80-Hour Suspension	0	0	0	0	1	0
Retired	0	0	0	0	3	0
Total Allegations	31	13	5	2	12	5
IP = Improper Procedure MDP = Missing/Damaged Property RC = Rude Conduct UA = Unlawful Arrest UC = Unofficerlike Conduct UF = Unnecessary Force						

Illustration F - Five Year View of Discipline Imposed

Type of Discipline Imposed	1996	1997	1998	1999	2000	Total	%
Training and/or Counseling	21	19	20	11	22	93	26%
Documented Oral Counseling (D.O.C.)	24	15	23	15	35	112	32%
Letter of Reprimand (L.O.R.)	19	13	11	7	5	55	15%
10-Hour Suspension	4	4	4	1	1	14	4%
20-Hour Suspension	0	5	3	5	1	14	4%
40-Hour Suspension	1	2	2	6	0	11	3%
80-Hour Suspension	1	1	2	2	1	7	2%
100-Hour Suspension	0	0	1	0	0	1	0%
120-Hour Suspension	2	2	1	0	0	5	1%
160-Hour Suspension	1	3	1	2	0	7	2%
13 Month Suspension	1	0	0	0	0	1	0%
Demotions / Transfers	0	0	0	1	0	1	0%
Terminations	2	0	1	2	0	5	1%
Retired	3	3	3	2	3	14	4%
Resigned	4	6	5	0	0	15	4%
Total Discipline Imposed	83	73	77	54	68	355	100%
%	23%	21%	22%	15%	19%	100%	

counseling session. Counseling sessions usually include the Deputy Chief of the subject officer's bureau, the Internal Affairs Commander, and the immediate supervisor. This informal counseling session involves a

review of the complaints against the subject officer and is done without regard to the finding. This meeting is intended to be a proactive attempt to address real or perceived unacceptable behavior before it becomes a real

problem. Because this is an informal process, no formal record is made of the substance of the counseling session and only the fact that the officer was counseled is tracked. This past year, thirteen (13) officers received Intervention Counseling, only one received a subsequent complaint.

Illustration G lists the number of IC sessions between January 1 and December 31 for the years 1996 through 2000. As noted in the chart, the total number of intervention counseling sessions has fluctuated slightly from year to year, but the number of repeat complaints has significantly decreased as a result of an intervention counseling session. In 1997, there were 14 subsequent complaints after an intervention counseling session, compared to only one this year.

Illustration G - Intervention Counseling

Time Period of Intervention Counseling	Total Number of IC Sessions	Number of Subsequent Complaints from IC Date to December 31, 2000					
		0	1	2	3	4	5+
Jan. - Dec. 1996	12	1	1	3	2	2	3
Jan. - Dec. 1997	21*	5	3	4	2	3	2
Jan. - Dec. 1998	12	1	3	4	2	0	2
Jan. - Dec. 1999	15	5	3	4	1	2	0
Jan. - Dec. 2000	13	12	1	0	0	0	0

*In 1997, two officers received Intervention Counseling twice. Subsequent complaints for these officers were counted from their first IC date.